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**DM5**

May 4, 2007

**VIA HAND DELIVERY AND E-MAIL**

The Honorable Vincent J. Poppiti  
Blank Rome LLP  
Chase Manhattan Centre, Suite 800  
Wilmington, DE 19801-4226

Re: *Phil Paul v. Intel Corporation*, C.A. No. 05-485 (JJF) Consolidated;  
*Intel Corp. Microprocessor Antitrust Litigation*, MDL Docket No. 05-1717 (JJF)

Dear Judge Poppiti:

We have the Special Master's letter recommendation of yesterday to Judge Farnan and proposed order that would shorten the time to three days in which the parties would have to object to, or file a motion to object to or modify, the Special Master's Report and Recommendation in connection with the Class Plaintiffs' Motion to Compel Fry's Electronics Inc. to produce transactional data in response to the Class Plaintiffs' subpoena. We would ask the Special Master to reconsider that recommendation.

Three days will be a very short time to consider the Special Master's Report and Recommendation, and if necessary, to prepare objections or a motion. The issues involved in this subpoena seeking third party Fry's trade secret information are of the utmost importance to Fry's, as was discussed at the hearing, and to have to prepare objections, if necessary, on what is essentially an emergency basis, will be highly prejudicial to Fry's. In addition, given the likely timing of the Special Master's Report and Recommendation, it is likely that Fry's and its counsel will be engaged in further meet and confer efforts with Class Plaintiffs during the objection period which will impact Fry's ability to respond to the Special Master's Report and Recommendation. While we understand that the Court would like to keep this case moving along, we submit that there is sufficient time in the schedule to allow Fry's, as a third party, a full opportunity to prepare any response. While we would prefer to have more time, we would

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request that the Special Master recommend that objections or a motion in response to the report be filed within five court days, rather than three.

Respectfully,

*/s/ Mary B. Graham (#2256)*

Mary B. Graham

MBG/dam

cc: The Honorable Joseph J. Farnan, Jr. (via e-filing and hand delivery)  
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